

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
5:15-CV-8-BO

SHAMONI GIBBS, Administrator of the
Estate of William C. Gibbs,

Plaintiff,

v.

WAFFLE HOUSE STORE NUMBER 1919;
LENOIR COUNTY; CHRIS HILL, Lenoir
County Sheriff; DEPUTY JOSEPH HECK;
and DEPUTY WILLIAM AARON
SHAMBEAU,

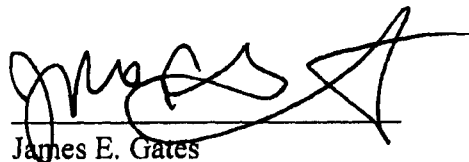
Defendants.

ORDER

Before the court is the motion (D.E. 22) by defendants Waffle House Store 1919, Lenoir County, Chris Hill, Deputy Joseph Heck, and Deputy William Arron Shambeau (collectively “defendants”) to stay discovery pending resolution of their motions to dismiss (D.E. 16, 19) for failure to state a claim upon which relief can be granted and for insufficient process. Defendants contend that resolution of the dismissal motions may obviate discovery and that deferral of discovery until after such resolution would preserve the court’s and the parties’ time and other resources. Plaintiff Shamoni Gibbs has not filed a response to the motion and the time for doing so has expired.

The court finds that defendants have shown good cause for the stay requested. The motion to stay is therefore ALLOWED, and all discovery in this case, including the convening of a Fed. R. Civ. P. Rule 26(f) conference and filing of a discovery plan, is STAYED pending entry of the order disposing of the motions to dismiss. The parties shall file a discovery plan within 14 days after such entry if at the time one or more claims remain in this court.

SO ORDERED, this the 26 day of March 2015.



James E. Gates
United States Magistrate Judge